

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

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02/18/2005 07:59:22 PM CST

PENNY LEE ANDERSON and
RUSSELL D. ANDERSON, SR.,

Plaintiffs,

CASE NO. 03-C-0510-C

v.

JUDGE BARBARA B. CRABB

TRANS UNION, LLC, EXPERIAN
INFORMATION SOLUTIONS, INC., CSC
CSC CREDIT SERVICES, INC., and
EQUIFAX, INC.d/b/a EQUIFAX
INFORMATION SERVICES, LLC,

Defendants.

AFFIDAVIT OF G. JOHN CENTO, ESQ.

I, G. John Cento, hereby declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am an attorney of record for Trans Union, LLC ("**Trans Union**") in the above captioned matter and competent to testify to the facts contained herein.
2. At one time, Plaintiffs' counsel, Thomas J. Lyons, Jr. and I we were on opposite sides of four closely related cases including the present case.
3. Mr. Lyons and I agreed that William Stockdale, Trans Union's 30(b)(6) witness on issues of policies and procedures for compliance with the FCRA, would be deposed once, in the McKeown case, for purposes of all four cases.
4. I discussed the agreement with Mr. Lyons again during Plaintiffs' 30(b)(6) deposition of Trans Union employee Eileen Little and Mr. Lyons did not

dispute our stipulation. Deposition of Eileen Little, September 23, 2004, p. 7, l. 21 – p. 8, l. 5, Goolsby Aff., Ex. A.

5. The information which Mr. Stockdale testified to in the McKeown case was not limited in scope to any one particular case, but instead consisted of knowledge on issues applicable to all of the similar cases.
6. On mid-December, without any discussion with counsel for Trans Union, Plaintiffs' served a Notice of Deposition of Mr. Stockdale in this case for early January 2005.
7. I contacted Mr. Lyons via e-mail correspondence, and reminded him of his agreement that Mr. Stockdale's deposition testimony in the McKeown case was to be used in this case as well as in the other cases. I further advised Counsel that neither I nor Mr. Stockdale would be available on the January date because Mr. Stockdale would be offering deposition testimony on other issues in another matter that same day. A true and correct copy of this e-mail correspondence is attached hereto as Exhibit A.
8. On January 10, 2005, again without any discussion with Trans Union counsel, Plaintiffs served a Notice of Deposition of William Stockdale for late February 2005. A true and correct copy of Plaintiffs' e-mail correspondence is attached hereto as Exhibit B.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

s/ G. John Cento

G. John Cento, Esq.
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Counsel For Trans Union, LLC

Dated: February 18, 2005

G John Cento

From: G John Cento
Sent: Monday, December 20, 2004 1:45 PM
To: 'swolsfeld@lyonslawfirm.com'; Christopher Lane; 'Tommycjc@aol.com'
Cc: Lewis Perling; 'Dustin B Rawlin'; 'Girvan, Erik J.'
Subject: RE: Anderson: NOD TU's Stockdale

Counsel:

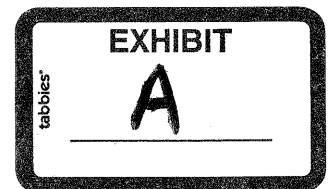
Mr. Stockdale is already scheduled to give another deposition in another matter being handled by my office on January 5th. Therefore, Mr. Stockdale will not be produced on January 5th for deposition in this case. In addition, as we have not yet resolved whether my office will agree to produce Mr. Stockdale, I ask that we discuss that issue before any further attempts are made to schedule this deposition – as I advised you in my December 14th letter. For that reason, I am not providing you with any alternative dates at this time.

I apologize for any inconvenience and look forward to discussing these issues with you. Thank you for your cooperation.

G. John Cento, Esq.
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From: Sue Wolsfeld [<mailto:swolsfeld@lyonslawfirm.com>]
Sent: Friday, December 17, 2004 1:54 PM
To: G John Cento; Christopher Lane
Cc: Lewis Perling; 'Dustin B Rawlin'; 'Girvan, Erik J.'
Subject: Anderson: NOD TU's Stockdale



Attached and served upon you, please find Plaintiff's 2nd Amended Notice of Taking Deposition of William Stockdale. Hard copy will follow via US Mail.

Please call with any questions.

2/17/2005

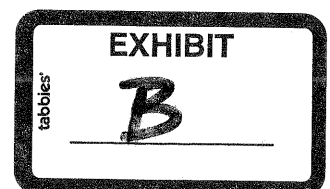
Sue Wolsfeld
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G John Cento

From: Sue Wolsfeld [swolsfeld@lyonslawfirm.com]
Sent: Monday, January 10, 2005 4:16 PM
To: G John Cento; Christopher Lane
Cc: Lewis Perling; 'Girvan, Erik J.'
Subject: Anderson: NOD Stockdale

Attached and served upon you, please find Plaintiffs' 3rd Amended Notice of taking deposition of William Stockdale. Hard copy will follow via US Mail. (Our calculations tell us that the 60-day stay in Anderson ends February 26, 2005.) Please call with questions. Sue

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2/17/2005